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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lino R. Becerra, et al.
Application No. : 09/822,585
Filed On : March 30, 2001
Entitled : METHOD AND APPARATUS FOR
OBJECTIVELY MEASURING PAIN,
PAIN TREATMENT AND OTHER
RELATED TECHNIQUES
Docket : MGH-004BUS

Group Art Unit: 3737

Examiner: Not Yet Assigned

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail with in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

13 Feb 02
Date of Signature
and Mail Deposit

By:

Christopher S. Daly
Reg. No. 37,303
Attorney for Applicant(s)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[] (1) The enclosed Information Disclosure Statement is being filed within three months of the filing date or within three months of the entry of the national stage

of the above-identified application or before the mailing of a first Office Action on the merits. Accordingly, Applicant(s) believes that no fee or certification is required.

☒ (1a) Applicant(s) believe the enclosed Information Disclosure Statement is entitled to the benefit of 37 C.F.R. § 1.97 (b) (3). Accordingly, Applicant(s) believe that no fee or certification is required.

☐ (1b) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

☐ a certification under 37 C.F.R. § 1.97(e); ☐ the fee set forth in § 1.17(p).

PETITION UNDER 37 C.F.R. § 1.97(d)

☐ (2) Pursuant to 37 C.F.R. § 1.97(d), Applicant(s) hereby petition the Assistant Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that the issue fee has not been paid and that a certification under 37 C.F.R. § 1.97(e) is provided herein, along with the petition fee of \$130.00 required under 37 C.F.R. § 1.17(i).

CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (1)

☐ (3) The undersigned hereby certifies that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of this statement.

CERTIFICATION UNDER 37 C.F.R. § 1.97 (e) (2)

☐ (4) The undersigned hereby certifies that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counter part foreign application or, to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual having a

duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, Applicant(s) does not necessarily adopt the position reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

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Dated: 13 Feb 02

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